

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHELLE LOU, et al.,

Plaintiffs,

No. C 12-05409 WHA

v.

MA LABORATORIES, INC., et al.,

Defendants.

**ORDER GRANTING IN PART
AND DENYING IN PART
MOTION TO SEAL**

Plaintiffs filed an administrative motion to seal information designated confidential by defendants (Dkt. No. 276). Upon review of defendants' declaration in support of the motion, the motion to seal is **GRANTED IN PART AND DENIED IN PART** as follows.

As a general matter, defendants have not established that the names of Ma Labs' employees and its general business procedures qualify as trade secrets. Defendants may, however, redact Ma Labs' own employees' home addresses and salaries from the public record. Defendants also may redact the identities of Ma Labs' current customers. Thus, although the motion to seal is **DENIED** as to the following exhibits, they may be re-filed under seal in redacted form consistent with the foregoing: 2, 6, 7, 46-B,

The motion to seal is **DENIED** as to the following exhibits, which shall be filed on the public docket: 3, 5, 8, 9, 13-B, 16, 17, 21, 24–26, 44, 52, 53, 56, 57, 60–66.


The motion to seal is **GRANTED** as to the following exhibits: 18, 19, 49, 50, 59.

1 The motion to seal is **DENIED** as to exhibit 45. The exhibit may be re-filed under seal
2 with the negative employee evaluation redacted.

3 The parties are advised that in *Kamakana v. Honolulu*, 447 F.3d 1172, 1179 (9th Cir.
4 2006), our court of appeals held that *more* than good cause, indeed, “compelling reasons” are
5 required to seal documents used in dispositive motions, just as compelling reasons would be
6 needed to justify a closure of a courtroom during trial. Otherwise, public access to the work of
7 the courts will be unduly compromised. Therefore, no request for a sealing order will be allowed
8 on summary judgment motions (or other dispositive motions) unless the movant first shows a
9 “compelling reason” — a substantially higher standard than “good cause” — and the materials
10 sealed by this order may possibly be laid open for public view on such a motion or at trial.

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12 **IT IS SO ORDERED.**

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14 Dated: October 16, 2013.

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17 WILLIAM ALSUP
18 UNITED STATES DISTRICT JUDGE
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